

## Article - Criminal Procedure

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§2–208.1.

(a) In this section, “Montgomery County fire and explosive investigator” means an individual who:

(1) is assigned full time to the Fire and Explosive Investigations Unit of the Montgomery County Fire and Rescue Service and is a paid employee;

(2) has been employed by the Montgomery County Fire and Rescue Service as a firefighter/rescuer for at least 5 years;

(3) has successfully completed a training program from a police training school approved by the Maryland Police Training and Standards Commission established under Title 3, Subtitle 2 of the Public Safety Article; and

(4) at all times maintains active certification by the Maryland Police Training and Standards Commission.

(b) Except as provided in subsection (c) of this section, a Montgomery County fire and explosive investigator has the same authority granted to the State Fire Marshal or a full-time investigative and inspection assistant of the Office of the State Fire Marshal under § 2-208 of this subtitle:

(1) while operating in Montgomery County; and

(2) while operating outside Montgomery County when:

(i) the Montgomery County fire and explosive investigator is participating in a joint investigation with officials from another state, federal, or local law enforcement unit, at least one of which has local jurisdiction;

(ii) the Montgomery County fire and explosive investigator is rendering assistance to another law enforcement officer;

(iii) the Montgomery County fire and explosive investigator is acting at the request of a law enforcement officer or State law enforcement officer; or

(iv) an emergency exists.

(c) The Montgomery County Fire Chief:

(1) may limit the authority of a Montgomery County fire and explosive investigator under this section; and

(2) shall express the limitation in a written policy.

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